

EXHIBIT 16


Track One: The New Patent Rules on Continuation and Claims Practice from the USPTO's Perspective

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PowerPoint Presentation 1-3


The New Patent Rules on Continuation and Claims Practice from the USPTO's Perspective

PowerPoint Presentation



Present & Future Perspectives of the USPTO
Institute of Continuing Legal Education (ICLE)
Spring Seminar 2007 - March 19, 2007

John Love
Deputy Commissioner for Patent Examination Policy



Topics

- **Recent Changes – which resulted in success**
 - **Quality –**
 - Fulfilling the goal of continuous improvement
 - **Statistical Update –**
 - Why FY 2006 was a record-breaking year
- **Strategic Planning & the Future of the USPTO**

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QUALITY

Fulfilling the goal of continuous improvement



On-Going Quality Initiatives

- Interviews before First Action
- Second Pair of Eyes
- In Process Reviews
- Appeal Specialists
- Pre-Appeal Brief Conferences
- Appeal Conferences
- GS 12 Certification Exam
- Primary Examiner Recertification
- TC Targeted Areas of Review
- New Patent Examiner Training Academy
- Central Reexamination Unit
- Accelerated Examination

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Interviews Before 1st Office Action

- Normally granted in continuing or substitute applications
- In all other applications interview will be granted if the examiner determines that such an interview would advance prosecution of the application
- Examiner may require applicant requesting interview to provide a paper with a general statement of the prior art and no more than three references believed to be the closest prior art and how the broadest claim is distinguished over these.



Second Pair of Eyes

- Focuses on reviewing work product throughout examination
- Tool to gather information for creating training modules
- May be performed throughout a TC or in specific areas

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In Process Reviews

- Initiated formally in FY 2003
- Statistically significant randomly selected applications are reviewed
- Focus of evaluation:
 - Whether rejections are proper
 - Whether a proper rejection has not been made
 - Evaluate search quality



Appeal Specialists

- TQAS position in each TC
- May be a conferee for pre appeal and appeal conferences
- Major duties include coordinating appeal matters throughout the TC
- Identify trends and training needs

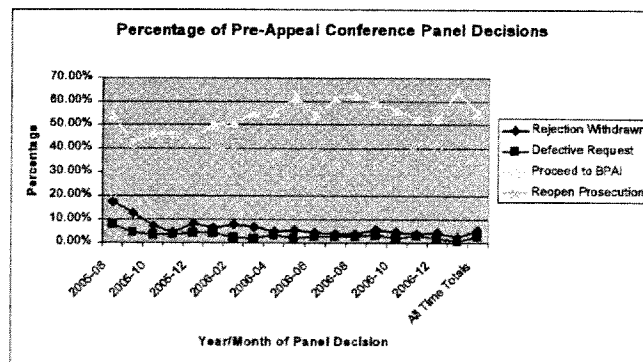
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Pre-appeal brief conferences

- Program began July 12, 2005
- Extended February 7, 2006
- Over 5,600 conferences conducted
 - For the last three months of 2006, we decided to proceed to the Board over 65% of the time.



Pre-appeal brief conferences



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Appeal Conferences

- **Appeal conference required in every application having a brief**
- **Conferees include:**
 - **Examiner**
 - **SPE**
 - **Appeal Conferee (appeal specialist, another primary or QAS)**



GS 12 Certification Exam

- **Implemented in FY 2004**
- **Ensures that examiners have up to date knowledge of Office procedures and policies**
- **Confirms through testing that examiners have achieved skills to merit the grant of legal competency and negotiation that occurs with a promotion to GS-13**

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Primary Examiner Recertification

- Established in FY 2004
- Applicable to all GS-13 through 15 examiners
- Requirements:
 - Attendance of legal training
 - Testing based on the legal training
 - Periodic expanded review of work product



TC Targeted Areas of Review

- Technology Centers focus on areas where greatest area of impact is made
- May Include:
 - Augmenting in-process reviews
 - Target second pair of eyes review in specific art areas
 - Target specific actions for review (first office action, finals, etc.)

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Training academy

- Six classes hired through training academy in 2006, totaling over 600 new examiners
- Four classes planned in the first half of '07
- Each Tech Center will send new hires through the training academy in '07



Training academy

- Evaluating existing processes, including:
 - Training delivery
 - Program effectiveness
 - Administrative oversight/structure
- Seeking input on future program development and a permanent structure

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Central Reexam Unit (CRU)

- Initiated in July 2005 to improve quality & timeliness of patent reexaminations
- Over 1500 cases have been assigned
- CRU Staff
 - 3 Managers (SPREs)
 - 30 Primary Examiners
 - 5 Paralegals (support)
 - 5 LIEs (support)
 - Centralized support staff



Central Reexam Unit (CRU)

- 30 Primary Examiners
 - Varied technical expertise
 - Reexam experience
 - Additional legal training
 - Motivated and collegiate
 - Quality focused

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Accelerated Examination

- **Change in practice effective since August 25, 2006**
- **Over 200 AE applications received**
- **Guidance provided on the USPTO web site at <http://www.uspto.gov/web/patents/accelerated/>**



STATISTICAL UPDATE

***Why FY 2006 Was a
Record-Breaking Year!***